

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE, WASBN 32245  
Associate General Counsel  
Office of Program Litigation, Office 7  
Social Security Administration  
DAVID PRIDDY, ILSBN 6313767  
Special Assistant United States Attorney  
6401 Security Boulevard  
Baltimore, Maryland 21235  
Telephone: (510) 970-4801  
E-Mail: David.Priddy@ssa.gov  
Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

YVETTE ANDREA SMITH,	)	No. 2:24-cv-0425 DB
Plaintiff,	)	
v.	)	<b>STIPULATION TO VOLUNTARY</b>
MARTIN O'MALLEY,	)	<b>REMAND PURSUANT TO SENTENCE</b>
Commissioner of Social Security,	)	<b>FOUR OF 42 U.S.C. § 405(g) AND TO</b>
Defendant.	)	<b>ENTRY OF JUDGMENT; AND ORDER</b>

IT IS STIPULATED by and between Plaintiff ("Plaintiff") and Defendant Martin O'Malley, Commissioner of Social Security ("Defendant"), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to re-evaluate the evidence of record. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

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1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
2 Social Security Act, 42 U.S.C. 405(g).

3  
4 Dated: June 20, 2024

/s/ Francesco Benavides\*

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

\*Authorized via e-mail on June 17, 2024

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Social Security Administration

By: /s/ David Priddy

DAVID PRIDDY

Special Assistant United States Attorney

Attorneys for Defendant

17 **ORDER**

18 Pursuant to the parties' Stipulation, IT IS HEREBY ORDERED that:

19 1. The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against  
20 Defendant, reversing the final decision of the Commissioner;

21 2. This action is remanded to the Commissioner of Social Security for further  
22 proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42  
23 U.S.C. 405(g); and

24 3. This case is closed.

25 DATED: June 21, 2024

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE